

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA,

v.

RAFAEL RETANO JR,

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CASE NUMBER 6:18-CR-00078-JDK

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING
DEFENDANT GUILTY PURSUANT TO RULE 11(c)(1)(C)**

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge John D. Love regarding Defendant's plea of guilty under FED. R. CRIM.P. 11(c)(1)(C) to Count One of the Indictment with a violation of Title 21 U.S.C. § 841(a)(1) and § 841(b)(1)(C) - Possession with the Intent to Distribute or Dispense (Methamphetamine, Cocaine, Heroin, Crack Cocaine, Marijuana). Having conducted a proceeding in the form and manner prescribed by FED. R. CRIM. P. 11, the Magistrate Judge recommends that the Court accept Defendant's guilty plea, reserving to the District Judge the option of rejecting the Plea Agreement if, after review of the presentence report, the agreed sentence is determined not to be the appropriate disposition of the case. The parties waived their right to file objections to the Findings of Fact and Recommendation. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly **ORDERED** that the Findings of Fact and Recommendation of the United States Magistrate Judge, filed August 20, 2019, are hereby **ADOPTED**.

It is further **ORDERED** that, pursuant to Defendant's plea agreement, the Court finds Defendant **GUILTY** of Count One of the Indictment in the above-numbered cause, reserving to

the District Judge the option of rejecting the Plea Agreement if, after review of the presentence report, the agreed sentence is determined not to be the appropriate disposition of the case.

So **ORDERED** and **SIGNED** this **22nd** day of **August, 2019**.



JEREMY D. KERNODLE
UNITED STATES DISTRICT JUDGE